

TOWNSHIP OF MIDDLETOWN SEWERAGE AUTHORITY

ADMINISTRATION OFFICE
CENTER AVENUE, BELFORD, NJ 07718
AGENDA FOR REGULAR MEETING

DECEMBER 16, 2013 8:00 p.m.

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MEETING CALLED TO ORDER

AT P.M. BY CHAIRPERSON BOUW

PLEDGE OF ALLEGIANCE

MEETING STATEMENT

ROLL CALL

MR. DeMARCO ✓
MR. ROGERS absent
MRS. SMITH ✓
MR. STOKES absent
MR. WREDE ✓
MR. ZAPCIC ✓
MRS. BOUW ✓

Also present:

Ray Nierstedt - Director
Richard Leahy - attorney
John Van Dorpe - engineer
William Meyler - auditor
Brian Hrycyk - Superintendent
Marie Schillberg - recording
secretary
Brian Rischman - staff
engineering/
manager

Absent:

George Note - maintenance
manager

2014 BUDGET PUBLIC HEARING

(1) - SKIPPED !

PUBLIC COMMENTS

2014 BUDGET ADOPTION

RES. 82/13 ADOPTION OF 2014 BUDGET TO BE
FORWARDED TO N.J. DEPARTMENT OF COMMUNITY
AFFAIRS.

M _____ S _____

AD__CR__JS__TS__EW__AZ__CB__

MINUTES OF REGULAR MEETING

NOVEMBER 21, 2013

(2)

M _____ S _____

AD__CR__JS__TS__EW__AZ__CB__

CONSENT AGENDA

RESOLUTIONS 83/13 THRU 86/13

(3)

M _____ S _____

AD__CR__JS__TS__EW__AZ__CB__

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TREASURER'S REPORT

OPERATING BILLS

(4)

RES. 83/13 APPROVING PAYMENT OF
OPERATING BILLS IN AMOUNT OF \$673,480.01

M_____S_____

AD__CR__JS__TS__EW__AZ__CB__

CONSTRUCTION FUND

(5)

RES. 84/13 APPROVING PAYMENT OF
CONSTRUCTION FUND BILLS OF \$23,987.25

M_____S_____

AD__CR__JS__TS__EW__AZ__CB__

REVENUE FUND REQ. 12/2013

(6)

RES. 85/13 APPROVING REVENUE FUND
REQ. 12/2013 IN THE AMOUNT OF \$898,480.01

M_____S_____

AD__CR__JS__TS__EW__AZ__CB__

GENERAL FUND

(7)

RES. 86/13 APPROVING TRANSFER FROM THE
THE GENERAL FUND TO THE CONSTRUCTION
ACCOUNT IN THE AMOUNT OF \$23,987.25

M_____S_____

AD__CR__JS__TS__EW__AZ__CB__

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ENGINEER'S STATUS REPORT:

(8)

HURRICANE SANDY SUPPORT SERVICES

DEEPDALE DRIVE SANITARY SEWER
MANHOLE EROSION EMERGENCY REPAIR

MCC/GENERATOR/CO-GEN EVALUATION STUDY

AERIAL CROSSING SEWER REHABILITATION PROJECT

MAIN STREET REPAIR/REPLACEMENT
EVALUATION REPORT

PUMP STATION EMERGENCY
FACILITIES EVALUATION

PUMP STATION SUSCEPTIBILITY TO
FLOODING EVALUATION

EMORY DRIVE PUMP STATION FORCE MAIN

EMORY DRIVE PUMP STATION IMPROVEMENTS

ENGINEER'S SUB-DIVISION REPORT: NONE

AWARD OF CONTRACT

(9)

RES. 87/13 AWARDING THE CONTRACT
FOR EMORY DRIVE PUMP STATION MODIFICATIONS.
to Allied Construction Group

M _____ S _____

AD ____ CR ____ JS ____ TS ____ EW ____ AZ ____ CB ____

2014 OPERATING BUDGET

INTRODUCTION (REVISED)

(9A)

RES. 88/13 AUTHORIZING INTRODUCTION OF 2014 OPERATING
BUDGET, TO BE FORWARDED TO N.J. DIVISION OF LOCAL
GOVERNMENT SERVICES FOR REVIEW (REVISED)

M _____ S _____

AD ____ CR ____ JS ____ TS ____ EW ____ AZ ____ CB ____

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EXECUTIVE DIRECTOR'S REPORT:

MONTHLY STATUS REPORT

(10)

DECEMBER 6, 2013

CONSTRUCTION FUND ANALYSIS

(11)

ANALYSIS OF FUNDS AVAILABLE
AND SIX (6) MONTH PROJECTIONS.

BUDGET ANALYSIS

(12)

OPERATING BUDGET ANALYSIS
THRU OCTOBER 31, 2013

STAFF ENGINEER'S REPORT

(13)

DECEMBER 6, 2013

MAINTENANCE DEPT

(14)

NOVEMBER 2013 PROJECT REPORT WORK ORDERS

PUBLIC COMMENTS

EXECUTIVE SESSION

(15)

EXECUTIVE MINUTES 11/21/13

ADJOURNMENT:

AT _____ P.M.

MINUTES
TOMSA board meeting
Monday, Dec. 16, 2013

The meeting was video recorded, but sound quality is awful due to a loud HVAC duct above the public seating area. The duct was blowing for most of the meeting. Public attendees also had trouble hearing the board discussion. The board has been asked to address the problem many times to no avail. No microphones are used and the board members often speak too softly to be heard, even when the duct isn't blowing. The question is, is it a public meeting if the public can't hear what's being said?? Is TOMSA compliant with the Open Public Meetings Act (OPMA) in this case??

If you have any questions about what was discussed, call TOMSA at 732-495-1010.

The public meeting began at 8:00 p.m. and ended at 8:55 p.m. Five board members were present: Anthony DeMarco (alternate, voting at this meeting), Joan Smith, Emil Wrede (vice chair), Chantal Bouw (chair), and Andrew Zapcic. Board members Charles Rogers and Tom Stokes were absent. Also present were Raymond Nierstedt (director), Richard Leahey (attorney), John Van Dorpe (engineer), William Meyler (auditor), Brian Hrycyk (superintendent), Brian Rischman (staff engineer) and Marie Schillberg (recording secretary). George Nole (maintenance manager) was absent. There were two public attendees.

2014 budget hearing / budget adoption - The first item listed on the agenda was a public hearing on the proposed 2014 budget, but no hearing was held. The director simply announced that the only change to the budget from the October meeting was to correct duplication for a \$40,000 revenue amount. The state reviewed the budget submitted to them and gave the OK for TOMSA's approval. The budget was adopted by the board, 5-0.

The minutes for the November 21, 2013 public meeting were adopted.

The consent agenda was adopted 5-0.

Engineer's report – John Van Dorpe discussed the status of a number of projects, but it was hard to hear him.

- Pump station emergency facilities / susceptibility to flooding evaluations – John noted that Emory Drive pump station is most susceptible to flooding. There were some comments about storm readiness.
- Emory Drive pump station improvements – Out to bid. Bids were received on Dec. 12th.

Resolution 87/13, Award of Contract (5-0 vote) – The contract for Emory Drive pump station modifications was awarded to Allied Construction Group, whose bid was \$669K. The bids ranged from \$669K to \$1.2M and were higher than initially estimated due to some additional requirements and allowances, including a gas line for a new generator. Prices were deemed reasonable. It was noted that Allied Construction had been used successfully in the past and that the company is a break-off from a larger firm. Construction is expected to begin in March 2014.

Resolution 88/13, Introduction of 2014 Operating Budget (5-0 vote) -- The resolution authorizing introduction of the 2014 operating budget replaces prior resolution 72/13. The revised resolution was required by DCA and reflects the revenue correction and different dates for the board meetings. The budget is to be forwarded to the NJ Division of Local Government Services for review.

Director's Monthly Status Report – Raymond Nierstedt reported, but it was hard to hear him.

- no lost time accidents in November 2013

- Year to date, revenue is just a little below budget, expenses are well below. (Regular operating expenses, not capital expenses.)
- Brian Rischman has taken over FEMA coordination. The County Emergency Management Office is looking at one of TOMSA's letters of intent for assignment of grant monies. So is the NJ EIT. Also the county said it has \$8M to go around and that TOMSA is first in line.
- Nierstedt said that TOMSA submitted three broad letters of intent quickly after Sandy hit – the 1st was to buy a new generator, the 2nd was to address the pump stations so they wouldn't flood again, and the 3rd was for the co-gen project. It's not clear which ones are being reviewed for funding.
- \$1.6M short to do all projects (\$5M was mentioned last time...)
- The savings estimate is down for the co-gen project due to reduced electricity usage, in part.

Staff engineer's report – (time stamp 40:00 or so)

PUBLIC COMMENTS:

Resident Linda Baum had the following comments (*responses in italics*):

- Ms. Baum asked why the budget hearing wasn't held and if bypassing it was in line with proper protocol. Baum also asked if the proposed budget has been made available to the public prior to the meeting, and if it was on the website. *No, the budget was not posted on TOMSA's website.*
- Ms. Baum mentioned a problem loading the TOMSA website (www.TOMSANJ.com) that has existed for many months and asked that the board investigate and correct the problem. Baum mentioned having no trouble with AHHRSA's website (www.AHHRSA.com) and also pointed out all of the information posted there, such as minutes, agendas, budgets, etc. She pointed out that the minutes are detailed accounts of discussion at AHHRSA board meetings, a stark contrast to TOMSA meeting minutes.
- Ms. Baum called attention to the fact that the recording secretary, Marie Schillberg (paid \$150 per meeting), had not taken minutes. Baum noted that Schillberg had recorded only the votes but otherwise did not take notes. This is typical, Baum noted. Baum asked what the board members feel the role of the recording secretary is. *The board members said nothing.* Baum pointed out that at every other town meeting she attends, the recording secretary is taking copious notes, and many boards audio record their meetings while TOMSA does not.

(NOTE: Marie Schillberg is the wife of former Middletown municipal court judge Robert Schillberg, who served in that role from August 1999 to December 2000, at the same time former TOMSA director Pat Parkinson was also a member of the Township Committee. Ms. Schillberg was appointed as TOMSA recording secretary in August 1999. The appointment resolution is just 20 words long and does not state her duties.)

The public session closed at 8:55 pm.